

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

No. 6:20-cv-00533

**Kenneth R. Hanon,**  
*Plaintiff,*

v.

**Jon Michael Smith et al.,**  
*Defendants.*

**ORDER**

On October 2, 2020, plaintiff Kenneth R. Hanon, proceeding pro se, filed this lawsuit, alleging violations of 42 U.S.C. § 1983 and certain state laws. Doc. 1. This case was referred to United States Magistrate Judge K. Nicole Mitchell under 28 U.S.C. § 636. Doc. 2. The plaintiff filed a request for the clerk to enter default judgment against defendants. Doc. 6.

The magistrate judge issued a report liberally construing the pro se plaintiff's filing as a motion for default judgment. Doc. 7 at 2. The report recommends denial of plaintiff's motion due to his failure to properly effect service of process and that the court grant plaintiff an additional 30 days to properly serve defendants. *Id.* at 4. No objections have been filed.

When no party objects to the magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n.*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court **accepts** the report and recommendation. *See* Fed. R. Civ. P. 72(b)(3). The court **denies** the plaintiff's motion for default judgment. Doc. 6. The court **orders** the plaintiff to have a non-party effect proper service of process on the defendants on or by **April 8, 2021**.

*So ordered by the court on March 8, 2021.*

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER  
United States District Judge